

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
May 10, 2016
7:30 p.m.

Town Council: Present-Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; David Tollett; Bryant Condrey; Doug Shaffer

Staff: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Desiree Moreland, Assistant Town Manager/Finance; Neal White, Chief of Police; Ann Phillips, Town Clerk

Press: Jim McConville, Winchester Star

1. Call to Order

Mayor Kirby called the meeting to order at 7:31 p.m.

2. Pledge of Allegiance

3. Public Hearings

a. **Proposed Fiscal Year 2017 Budget**

Public hearing speakers were as follows:

Dan Garrett, 303 Archer Court, Berryville, who questioned the inclusion of contributions to Enders Fire and Rescue. He said supporting fire and rescue is a mandated County function and asked Council to state to the County that the Town will not make additional contributions.

Alton Echols, 400 Custer Court, Berryville, who said there have been tax hikes in recent years and the Town should be moving toward an economy where more meals tax can be realized. He said the Town was earning only \$90,000 in meals tax. He also questioned a \$50,000 contribution to Enders Fire and Rescue.

Harold Rohde, Chief of Enders Fire and Rescue, who thanked the Town for its ongoing financial support including one of the five full-time EMS positions. He said that the company averages 118 calls per month with 50% of those being in Town. He said that when the Town approves development that will affect the number of calls, the Town has a responsibility to support the increase needed in fire and rescue services. He added that the Code of the Town of Berryville calls Enders an integral part of the Town safety program, and therefore it needs to be funded.

Christina Kraybill, 317 First Street, Berryville, and owner of My Neighbor and Me, who noted that the Town is encouraging the repurposing of buildings in various places which she feels is a wise decision. She said as a resident and as a business owner, she supports this type of economic development as well as those of Berryville Main Street.

Susan Schoonover, 433 Page Street, Berryville, who as a resident of the Darbybrook subdivision reported that the new president of the Darbybrook HOA is hoping the Town will take over the Darbybrook HOA

duties and responsibilities. Ms. Schoonover urged the Council not to consider taking over the Darbybrook HOA duties and responsibilities.

Jim Willis, 128 West Main Street, Berryville, who complimented the Town's fiscal responsibility and said it would be foolish to take money from EMS services and Enders Fire and Rescue.

- b. **Hip and Humble Interiors (Tom McFillen, Agent), request a Special Use Permit for retail sales incidental to a manufacturing, production, or related use as regulated in Section 609.3(h) of the Berryville Zoning Ordinance for that property located at 401 East Main Street, identified as Tax Map Parcel 14A6-((1))-3, zoned L-1 Industrial.**

Public hearing speakers were as follows:

Jay Hillerson, 2770 Kimble Road and owner of 401 East Main Street, Berryville, who said he supports the special use permit. He said the business owners of Hip and Humble have made Berryville a destination and shown the possibilities of what can happen on East Main Street. He added that the only thing missing on East Main is sidewalk access which would link East Main with the rest of Town. He said the business owners and residents would like the Town to provide those sidewalks.

Alton Echols, 400 Custer Court, Berryville, who said he supports sidewalks as mentioned by Mr. Hillerson. He said the special use permit should be referred to the Streets and Utilities Committee along with similar problems all over Town. He said downtown will not survive with retail uses, but only with niche shopping. He cited his experience in Leesburg and he said retail should be pursued at the edge of Town on property he owns.

Tom McFillen, 117 Rosemont Circle, Berryville, who said he helped Hip and Humble apply for the special use permit to facilitate the business use of two store fronts, each of which had different zoning. He added that only one level of the old mill at 401 East Main Street is being used.

Christina Kraybill, 317 First Street, Berryville, who said she appreciated being granted a special use permit for her business because it allowed her to establish the business which has now been able to locate on Main Street. She responded to Mr. Echols statement about retail uses downtown saying that as a successful business owner, she has been recruited by Leesburg recently because their downtown center is suffering with the relocation of many retail businesses to the outskirts of town.

- c. **The Berryville Planning Commission is initiating a text amendment to Article I, Definitions, of the Berryville Zoning Ordinance in order to define "convenience store"**

Public hearing speakers were as follows:

Alton Echols, 400 Custer Court, Berryville, who said he did not know the relationship between this amendment and his request for 5500 square feet. He asked the Town Planner which zoning district the amendment referred to, and she responded it applied wherever a convenience store use is located.

Upon motion of Council member Kitselman, seconded by Council member Condrey, the public hearings were closed.

4. Approval of Minutes

Upon motion of Recorder Arnold, seconded by Council Member Shaffer, the minutes of the April 12, 2016 meeting were approved as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

5. Citizens' Forum

Speakers were as follows:

George Archibald, 27 West Main Street, Berryville, who asked the Council to stand still on issues and wait until the newly elected administration takes office in July. He also asked Council to request that the administrative staff be transparent and transitional.

Alton Echols, 400 Custer Court, Berryville, who spoke about the Berryville Area Plan saying it should not be voted on because of its flaws. He advised Council to seek an Attorney General opinion regarding retail on his property at the Food Lion. He added that before any gas station can be built, a road has to be built and he does not think it is legal to require the building of the road.

Dan Garrett, 303 Archer Court, Berryville, who said the Berryville Area Plan is exclusionary to seniors and urged the Council to reject it. He said a 60 unit development cannot be built because of the conditions placed on it. He said the Berryville Area Plan needs further revisions.

Mary Liz McCauley, 103 Lincoln Avenue, Berryville, said she and C.T. Hardesty are part of a committee sponsoring a Cruise-In event on Main Street in August. She said the event is a fundraiser for Berryville Main Street with an estimated 100 to 150 cars parking in Town for an evening of shopping and dining. She said the committee is asking Council to approve the closure of portions of Main and Church Streets for the event.

Sue Ross of Berryville Main Street updated the Council on recent activities, and added the volunteers are excited about the Cruise-In. She noted that Berryville Main Street was recently given an award recognizing the \$30 million private investment that has been made in downtown Berryville.

Kelley Nelson, 211 Smallwood Lane, Berryville, who said she had just learned that her family's property is located in a potential southern future growth area identified by the Berryville Area Plan. She said her family moved to the County for the rural quality, and they do not wish to be included in the growth area.

Christina Kraybill, 317 First Street, Berryville, noted that Saturday, May 14 is World Fair Trade Day. She is hosting special events at her shop, My Neighbor and Me, and invited all to attend. She added there is a lot of energy downtown with new businesses coming in.

Amy Barley, 754 Castleman Road and director of the Fire House Gallery, who gave highlights of recent activities at the Gallery. She noted that the Gallery is now open 5 days a week and is self-supporting.

6. Report of Wilson Kirby, Mayor

The Mayor noted Master Patrol Officer Gregory Frenzel will retire at the end of the month. **Council member Tollett moved that the Council of the Town of Berryville adopt the following resolution recognizing Master Patrol Officer Gregory Frenzel for a distinguished career as a police officer. Council member Condrey seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BERRYVILLE
RECOGNIZING MASTER PATROL OFFICER GREGORY FRENZEL FOR A DISTINGUISHED
CAREER AS A POLICE OFFICER

WHEREAS, Master Patrol Officer Greg Frenzel began working for the Berryville Police Department on January 11, 1997, and for nineteen years loyally served the community of Berryville until his retirement on May 31, 2016; and,

WHEREAS, During those nineteen years of service Officer Frenzel served the police department as a Firearms Instructor, Investigator, and Evidence Room Manager, and all of those additional duties helped to maintain a professional, well trained, and safe department; and,

WHEREAS, In addition to serving as a training officer for the department, Officer Frenzel also spent countless hours as an instructor for basic law enforcement officer candidates at the regional training academy, thereby leaving a lasting impression upon those just beginning their careers in law enforcement; and,

WHEREAS, Because of his attention to detail, tenacity and organizational skills, Officer Frenzel was often assigned to investigate complex and demanding cases, to include the 2009 homicide of Town Council member Gail Smith ; and,

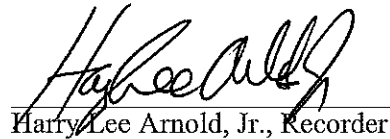
WHEREAS, Officer Frenzel was recognized by his peers and the Horseshoe Curve Benevolent Association as the 2006 Law Enforcement Officer of the Year, and in addition was recognized by the Virginia Homicide Investigators Association in 2015 as a Homicide Investigator of the Year; and,

WHEREAS, Because of the professional and compassionate manner in which he conducted himself while a police officer for the Town of Berryville serving as a true guardian of the community, he favorably affected countless lives and provided a positive role-model of what a true police officer should be; and,

NOW, THEREFORE BE IT RESOLVED that the Council of the Town of Berryville hereby salutes Master Patrol Officer Greg Frenzel for a distinguished career serving the Town and thanks him for his devoted service to the Town's residents.

By Order of the Council of the Town of Berryville on this the tenth day of May, 2016.


Wilson L. Kirby, Mayor


Harry Lee Arnold, Jr., Recorder

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Mayor Kirby said a joint Town and County resolution had been suggested to recognize those responsible for the artwork and decorating of the Berryville Clarke County Government Center. **Council Member Kitselman moved that the Council of the Town of Berryville adopt the following resolution expressing appreciation for the vision and talents of those responsible for the design and artwork in the Berryville Clarke County Government Center. Council member Shaffer seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

Berryville Town Council and Clarke County Board of Supervisors
Joint Resolution in Recognition and Appreciation

WHEREAS on October 10, 2006, the Berryville Town Council and the Clarke County Board of Supervisors entered into an agreement to construct and equip a new joint administrative complex; and,

WHEREAS Phyllis Nee, owner Interior Expressions, was selected to create the interior design in the shared areas of the Berryville Clarke County Government Center, and in pursuit of her vision, she actively solicited artwork from local artists; and,

WHEREAS in response to Ms. Nee's solicitation, Matthew Klein, Steve Lee, John Lewis, Maral Kalbian and the Clarke County Historical Association provided a variety of images for display in the Government Center.

NOW THEREFORE BE IT RESOLVED, that the Berryville Town Council and the Clarke County Board of Supervisors recognize and express appreciation for the vision, talent and efforts of Phyllis Nee, Matthew Klein, Steve Lee, John Lewis, Maral Kalbian and the Clarke County Historical Association.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Berryville Town Council on May 10, 2016 and the Clarke County Board of Supervisors on _____.

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7. Report of Christy Dunkle, Asst. Town Manager for Community Development

Ms. Dunkle said there were two action items: the special use permit for 401 East Main Street and the text amendment defining "convenience store."

Council member Kitselman moved that the Council of the Town of Berryville approve Special Use Permit 01-16 in order to conduct retail sales incidental to a manufacturing, production or related use as regulated in Section 609.3(h) of the Berryville Zoning Ordinance for the property located at 401 East Main Street, identified as Tax Map Parcel number 14A6-((1))-3, zoned L-1 Industrial, with the following conditions:

- The parking is identified on the property as shown on the site plan;**
- Signage conforms to zoning regulations and review and approval of the Architectural Review Board;**
- Outdoor storage is prohibited; and**
- The loading area adjacent to East Main Street is designated on the site.**

Recorder Arnold seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

Council member Kitselman moved that the Council of the Town of Berryville adopt the attached amendment to Article I Definitions, of the Berryville Zoning Ordinance in order to define "convenience store" as follows:

A retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from an array of consumable products including food, gasoline, and other convenience items. A convenience store may include prepared food and consumption of prepared food on site. A drive-through facility may also be included.

Council member Shaffer seconded the motion which carried as follows:

Aye – Wilson Kirby

Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None
Abstain - Harry Lee Arnold, Jr.

AN ORDINANCE AMENDING
ARTICLE I, DEFINITIONS
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article I, Definitions, of the Town of Berryville Zoning Ordinance shall be amended as follows:

ARTICLE I

convenience store - A retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from an array of consumable products including food, gasoline, and other convenience items. A convenience store may include prepared food and consumption of prepared food on site. A drive-through facility may also be included.

SIGNED: Wilson Kirby
Wilson Kirby, Mayor

ATTEST: Harry Lee Arnold, Jr.
Harry Lee Arnold, Jr., Recorder

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By consensus, the Council set a public hearing for Russ and Diane Harrison, Owners, requesting a Special Use Permit in order to operate a Home Occupation (Art Business) for the property at 325 South Church Street.

Ms. Dunkle said the Town Council Community Improvements Committee is recommending the implementation of Tourism Zones in order to offer economic development incentives in specific areas of Town. She said the proposed text amendments to Section 609 would enable eligible land uses identified in the Tourism Zone Incentives to be established in the Community Business Tourism Zone located along First Street and a portion of Station Road. **Council member Kitselman moved that the Council of the Town of Berryville support the attached resolution sponsoring amendments to Section 609 of the Berryville Zoning Ordinance and the establishment of Town Code Section 16-9 Tourism Zone Incentives. Recorder Arnold seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett

Douglas Shaffer

Nay – None
Absent – None

A RESOLUTION: Amendments to Section 609 of the Berryville Zoning Ordinance
and consideration of establishing Town Code Section 16-9 Tourism Zone Incentives

WHEREAS, the Council of the Town of Berryville supports the creation of tourism zones in order to encourage certain types of business growth in the Town that will attract visitors, increase tax revenue, and enhance the general welfare of Town residents; and

WHEREAS, the Virginia General Assembly adopted Virginia Code § 58.1-3851 which grants towns legal authority to establish one or more tourism zones and grant tax incentives and regulatory flexibility therein; and

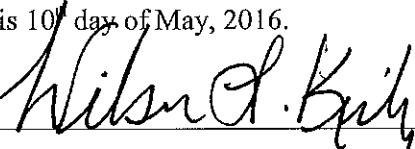
WHEREAS, the Council of the Town of Berryville identifies three Tourism Zones including Downtown Business Tourism Zone, Entrance Corridor Tourism Zone, and Community Business Tourism Zone which are identified on maps herein; and

WHEREAS, the Council of the Town of Berryville recommends eligible land uses within these Zones and identifies criteria for businesses which would receive incentives including reduced BPOL taxes and permit fees and the ability to pay water and sanitary sewer availability fees over a period of time not to exceed ten (10) years; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Berryville, Virginia hereby initiates the establishment of Section 16-9 to the Code of the Town of Berryville and text amendments to Section 609 of the Berryville Zoning Ordinance in order align with uses in Tourism Zone locations.

Passed this 10th day of May, 2016.

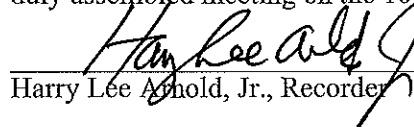
Attest:



By: Wilson L. Kirby, Mayor

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 10th day of May, 2016.


Harry Lee Arnold, Jr., Recorder

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Ms. Dunkle noted the request for Berryville Main Street to hold a Cruise-in event requiring the approval of downtown streets. Council member Kitselman moved that the Council of the Town of Berryville approve the closure of downtown streets in order for Berryville Main Street to hold a cruise-in event on Saturday, August 27, 2016 upon approval by VDOT, requisite permit submittal, and other items as determined by staff after the May 6, 2016 event meeting. Council member Condrey seconded the motion which carried as follows:

Aye – Wilson Kirby
Bryant Condrey

Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None
Abstain - Harry Lee Arnold, Jr.

Ms. Dunkle said that Alton Echols had withdrawn his application for a mixed unit housing development and that staff was recommending a partial refund of his application fee after expenses were paid. Mayor Kirby asked staff to collect the information regarding expenses and the remainder of the fee for review at the next Council meeting.

Ms. Dunkle noted the proposed modifications to Section 2 of the Construction Standards and Specifications. **Council member Shaffer moved that the Council of the Town of Berryville approve the following modifications to Section 2 General Design Standards of the Construction Standards and Specifications Manual in order to establish manhole cover requirements and final inspections and testing for storm sewer facilities. Recorder Arnold seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

Town of Berryville Construction Standards and Specifications – April 2015
Section 2 * General Design Standards

B. Storm Sewer Systems

1. Design and capacity of culverts, inlets and piped storm drainage systems shall be in accordance with the requirements of the *Virginia Department of Transportation (VDOT) Drainage Manual*, latest release, *Town of Berryville Storm Water Management Ordinance*, *Virginia Department of Environmental Quality Storm Water Management Program* and this manual. Proposed drainage facilities shall be sized for ultimate development conditions. Ultimate developed condition of currently undeveloped areas within a watershed shall be based upon the current or anticipated zoning of those areas.
2. Where a proposed drainage system is connected to an existing drainage system, the hydraulic gradient shall be computed through the existing system outfalls to daylight to demonstrate hydraulic capacity. System computations for the existing system will be made available by the Town to the designer for those systems for which the Town has this information. The Town Superintendent may waive this requirement when it has been previously determined that the receiving system is known to have sufficient capacity.
3. All storm sewer pipe within a public right-of-way or public drainage easement shall be reinforced concrete pipe with a minimum diameter of 15 inches or equivalent elliptical size. Storm sewer pipe which begins or ends within a public right-of-way or public easement shall be reinforced concrete for its entire length between terminal structures. All reinforced concrete pipe shall be Class III, or greater as conditions require. Installation shall be in

- accordance with VDOT Standard PB-1, joined using a tongue and groove connection with bitumastic sealant. Precast box culvert sections shall be joined using a closed-cell extruded rubber gasket, Delta Rubber "Omni-Flex" or Town-approved equal.
4. Reinforced concrete flared end sections shall be installed at the open ends of all storm drainage pipe. Concrete endwalls may be accepted 42 inches in diameter or less subject to approval by the Town Superintendent.
 5. Minimum cover for storm sewer pipe shall be two feet vertically from finish grade to the outside crown of pipe, except where structural correction is provided and approved. Requests for less than two feet of cover shall be recorded on the plans and clearly denoted. Test pits will be required and shall be shown on the plans for all crossings which involve gas lines, water mains, sanitary sewer crossings which have minimum clearance, and all fiber optic telephone service lines. Test pits shall be dug and clearances verified prior to installing any portion of the storm sewer system. Test pits as basis of design may be required at the discretion of the Town Engineer.
 6. Storm manhole covers shall have the word "STORM" cast into them.

Final Inspection and Testing

1. All storm sewer lines shall be internally inspected by closed circuit television camera prior to acceptance. A copy of the inspection video and reports must be submitted to the Town of Berryville Public Works Director for review. All deficiencies noted must be corrected and an additional televised inspection must be submitted to the Town for review and approval.
2. Such inspection shall be made after the storm sewer has been fully backfilled and the associated roadway sub-grade construction has been completed.
3. The cost of these inspections shall be borne by the project's owner.

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8. Report of Keith Dalton, Town Manager

Mr. Dalton said Virginia House Bill 818, which will become effective on July 1, requires some changes in regard to the Freedom of Information Act. Among other changes, a FOIA officer must be formally designated and specific information must be posted on the Town website. Mr. Dalton said staff is preparing an amended FOIA policy and the recommendation will be to designate the Town Clerk as the FOIA officer when the new policy is adopted.

Mr. Dalton said the Town had received the abstract of votes from the recent election, and that it has been suggested that the Council include that information as part of the minutes for record keeping purposes. **Council member Kitselman moved that the Council of the Town of Berryville include the abstract of votes from the May 3, 2016, election in the minutes of the current meeting. Recorder Arnold seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

ABSTRACT of VOTES

Cast in the Town of BERRYVILLE in CLARKE COUNTY, VIRGINIA
at the 2016 May Town General Election held on May 03, 2016 for,

Mayor

District: BERRYVILLE

NAMES OF CANDIDATES ON THE BALLOT

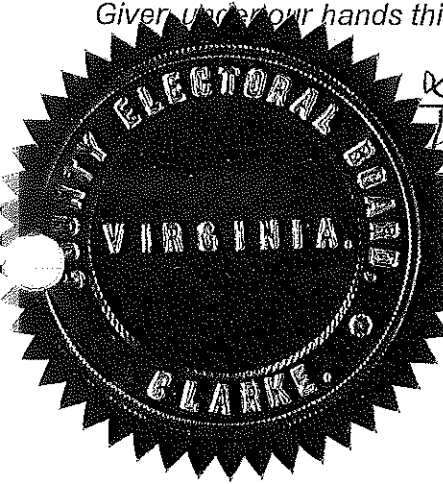
TOTAL VOTES RECEIVED
(IN FIGURES)

| | |
|--|-----|
| Patricia B. Dickinson | 537 |
| Harry L. "Jay" Arnold, Jr | 422 |
| Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes] | 1 |
| Total Number of Overvotes for Office | 0 |

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Mayor .

Patricia B. Dickinson

Given under our hands this 4th day of May, 2016



Gonald W. Hurren, Chairman

HR/12, Vice Chairman

Carol S. Hester, Secretary

Carol S. Hester, Secretary, Electoral Board

ABSTRACT of VOTES

Cast in the Town of BERRYVILLE in CLARKE COUNTY, VIRGINIA
at the 2016 May Town General Election held on May 03, 2016 for,

Member Town Council - Ward 1

District: BERRYVILLE

NAMES OF CANDIDATES ON THE BALLOT

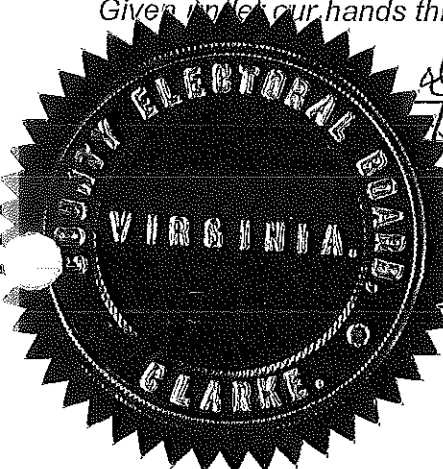
TOTAL VOTES RECEIVED
(IN FIGURES)

| | |
|--|-----|
| Donna Marie McDonald | 530 |
| William M. Steinmetz | 404 |
| Total Write-In votes [From Write-Ins Certifications] | 4 |
| [Valid Write-Ins + Invalid Write-ins = Total Write In Votes] | |
| Total Number of Overvotes for Office | 0 |

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council - Ward 1.

Donna Marie McDonald

Given under our hands this 4th day of MAY, 2016



Donald E. Haven, Chairman

HRJ Mc, Vice Chairman

Carol S. Hesterwell, Secretary

Carol S. Hesterwell, Secretary, Electoral Board

ABSTRACT of VOTES

Cast in the Town of BERRYVILLE in CLARKE COUNTY, VIRGINIA
at the 2016 May Town General Election held on May 03, 2016 for,

Member Town Council - Ward 3

District: BERRYVILLE

NAMES OF CANDIDATES ON THE BALLOT

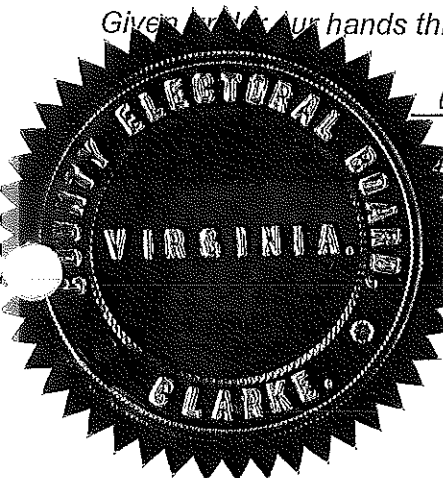
TOTAL VOTES RECEIVED
(IN FIGURES)

| | |
|--|-----|
| Erecka L. Gibson | 370 |
| Matthew E. "Matt" Bass | 324 |
| J. Bryant Condrey | 259 |
| Total Write-In votes [From Write-Ins Certifications] | 1 |
| [Valid Write-Ins + Invalid Write_ins = Total Write In Votes] | |
| Total Number of Overvotes for Office | 0 |

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council - Ward 3.

Erecka L. Gibson

Given under our hands this 4th day of MAY, 2016



Donald W. Harman, Chairman

Mike Mc, Vice Chairman

Carol S. Hester, Secretary

Carol S. Hester, Secretary, Electoral Board

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Mr. Dalton said the Town Council will host a reception at 6:30 pm on June 14, prior to the Town Council meeting, to say farewell to those departing Council members and the Mayor as well as hello to the newly elected Council members and Mayor.

Mr. Dalton referenced the earlier comments regarding East Main Street and said that a citizen on Battletown Drive has also requested that the Town and VDOT re-visit the sidewalk issue on East Main Street.

9. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison

Council member Kitselman said the draft Berryville Area Plan was ready for adoption by Town Council. Council member Tollett said he recommends waiting to vote on the plan until the newly elected Council members take office. Council member Kitselman said he respectfully disagreed because the new plan is a huge improvement over the old plan. He said it has been streamlined, is flexible, and can be changed and updated easily if necessary. He said a lot of work by citizen planners and staff has resulted in a very clear, good planning document, and it makes no sense to throw it out. Mayor Kirby agreed, saying the Council had been criticized for not updating the plan quickly enough and that he wished to see the plan approved. **Council member Kitselman moved that the Council of the Town of Berryville adopt the revised Version V of the Berryville Area Plan as recommended by the Berryville Area Development Authority. He said it is anticipated that the Clarke County Board of Supervisors will act on the same document at their May meeting. Recorder Arnold seconded the motion.** Council member Condrey said the senior housing limits have been a point of contention, that the lack of stated reasoning for the existing limits is a deficiency in the plan, and that the plan needs more work. He said that this proposed version is cleaner and more organized than the current version and that he would abstain. **The vote carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Allen Kitselman
Douglas Shaffer

Nay – David Tollett
Absent – None
Abstain - Bryant Condrey

10. Report of Harry Lee Arnold, Jr., - Chair, Budget and Finance Committee

Recorder Arnold noted the budget will be voted on at the June meeting.

11. Report of H. Allen Kitselman, III - Chair, Community Improvements Committee

Council member Kitselman said the Council had heard several reports from Berryville Main Street and he had nothing further to report.

12. Report of Douglas A. Shaffer – Planning Commission Liaison

Council member Shaffer said that he had nothing to add to the Planner's reports.

13. Report of Dave Tollett – Police and Security Committee

Council member Tollett noted Master Patrol Officer Frenzel's retirement. He reaffirmed Chief White's report that the Town Police Department is working to equip officers with Naloxone to address drug overdoses, and that there are discussions regarding adding AED (defibrillators) to police cruisers.

On a motion by Council member Condrey, seconded by Council member Tollett, the minutes of the Police and Security Committee meeting of April 24, 2016, were approved.

Council member Tollett moved that the Council of the Town of Berryville adopt the following resolution designating May 15-21, 2016, as Police Week in the Town of Berryville. Recorder Arnold seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

A proclamation to recognize National Police Week 2016

and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Berryville Police Department;

WHEREAS, there have been 15,725 assaults against law enforcement officers in 2014, resulting in approximately 13,824 injuries;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 252 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 123 officers killed in 2015 and 129 officers killed in previous years;


WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 28th Annual Candlelight Vigil, on the evening of May 13, 2016;

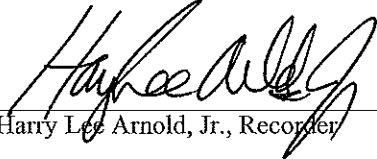
WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 15-21;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, BE IT RESOLVED that the Council of the Town of Berryville formally designates May 15-21, 2016, as Police Week in the Town of Berryville and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

By Order of the Council of the Town of Berryville on this the tenth day of May, 2016.


Wilson L. Kirby, Mayor


Harry Lee Arnold, Jr., Recorder

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14. Report of Wilson Kirby – Chair, Streets and Utilities Committee

On a motion by Council member Shaffer, seconded by Mayor Kirby, the minutes of the Streets and Utilities Committee meeting of April 27, 2016, were approved.

Mr. Dalton noted the following streets are scheduled to be paved, weather permitting, by the end of the fiscal year: Stuart Court, Ashby Court, South Church Street from Swan Avenue to Taylor Street, Lincoln Avenue, Smith Street, and Academy Street. He said an easement has been obtained to allow replacement of a water line on Academy Court.

Mr. Dalton added that work on water lines began on May 9 on Battletown Drive, and was being handled by a contractor.

Mr. Dalton said crosswalks had not been re-established on South Buckmarsh Street when VDOT paved it in 2015, and that VDOT will be completing those crosswalks. He added that a contractor has been hired to install other crosswalks at the intersections of Buckmarsh and Main, Church Street and Main, and one on East Main near the Washington Square Apartments.

15. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee

Recorder Arnold reported there were a few re-appointments to be made.

Recorder Arnold moved that the Council of the Town of Berryville re-appoint Robin McFillen to the Berryville Architectural Review Board for a four year term to begin May 31, 2016 and expire May 31, 2020. Council member Kitselman seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

Recorder Arnold moved that the Council of the Town of Berryville re-appoint James Barb to the Berryville Architectural Review Board for a four year term to begin May 31, 2016 and expire May 31, 2020. Council member Kitselman seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey

Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

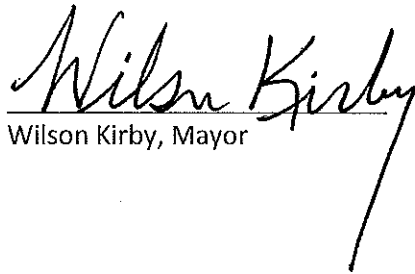
Recorder Arnold moved that the Council of the Town of Berryville re-appoint Sheryl Reid to the Berryville Planning Commission for a four year term to begin June 30, 2016 and expire June 30, 2020. Council member Shaffer seconded the motion which carried as follows:

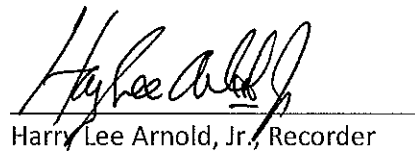
Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
David Tollett
Douglas Shaffer

Nay – None
Absent – None

16. Adjourn

There being no other business, upon motion of Council member Shaffer, seconded by Council member Kitselman, the meeting was adjourned at 9:12 p.m.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder